

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day

May 30, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Friday, May 25th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objections, so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Tuesday, May 29th, in the year 2001, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript.

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There being no objections, so ordered. The Illinois Information Service has requested filming of the procedures today. Is leave granted? Leave is granted. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Again, I want the record to reflect that Senator Lightford is bedridden this week and will not be here.

PRESIDENT PHILIP:

The record will so indicate. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCH:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR DUDYCH:

Mr. President, Ladies and Gentlemen of the Senate, for your information, in -- in Room 317, behind the Chamber, this morning, Senator DeLeo and I are providing Members, their staff and secretaries with some Eli's cheesecake from my district. So, please help yourselves, while they're -- they're going like hotcakes, so, please, have your secretaries come down to Room 317. Your staff is invited also. We have cheesecake for everyone. So, enjoy.

PRESIDENT PHILIP:

Thank you, Senator Dudycz. It's long overdue. Can we have a little order, please? Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Senate Amendment 2 to House Bill 3050; to the Committee on Environment and Energy - Senate Amendment 1 to House Bill 1599, Senate Amendment 3 to House Bill

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2900; to the Committee on Executive - Senate Amendment 1 to House Bill 1521 and Amendment 1 to House Bill 2911; to the Committee on Local Government - Motion to Concur with House Amendments 1 and 2 to Senate Bill 754; to the Committee on Public Health and Welfare - Motions to Concur with House Amendments 1 and 2 to Senate Bill 373; to the Committee on Transportation - the Motion to Concur with House Amendments 1 and 2 to Senate Bill 699; and Be Approved for Consideration - the Motion to Concur with House Amendment 2 to Senate Bill 1284, and Senate Amendment 3 to Senate Resolution 153.

PRESIDENT PHILIP:

Chicago Tribune has asked leave to take still photographs. Is leave granted? Leave is granted. Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

Mr. President, I am -- for purposes of announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR O'MALLEY:

The Senate Financial Institutions Committee will meet at 4 o'clock -- I'm -- I'm sorry, at 11 a.m. in Room 400. We'll meet as promptly as possible, and I know that there are other committee meetings following it.

PRESIDENT PHILIP:

Okay. 11 a.m., Room 400. Thank you. Senator Syverson, what purpose do you rise?

SENATOR SYVERSON:

...President. The Public Health Committee will meet at 11:15 sharp. I think we've got just one or two items, if everyone can be there on time. I know there are other committees right after that. 11:15 sharp, in Room 400 as well.

PRESIDENT PHILIP:

All right. 11:15, 400. Senator Dillard.

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SENATOR DILLARD:

Thank you, Mr. President. For purposes of an announcement. The Senate Local Government Committee will meet at 11:15. 11:15, in Room 212. In Room 212. That's not our regular room. 11:15, Local Government, in Room 212.

PRESIDENT PHILIP:

11:15, Room 212. Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

For the purposes of an announcement, Mr. President.

PRESIDENT PHILIP:

Make your announcement.

SENATOR KLEMM:

The Senate Executive Committee will be meeting in Room 212 at 11:30. 212, Senate, at 11:30.

PRESIDENT PHILIP:

All right. Room 212 at 11:30. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Mr. President. Point -- for purpose of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR BOMKE:

State Government will meet at 11:30 in Room 400. Room 400 at 11:30, State Government.

PRESIDENT PHILIP:

Thank you. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

The Senate Education Committee shall meet at 12 noon - 12 noon - in Room 212.

PRESIDENT PHILIP:

Thank you. Senator Sullivan, for what purpose do you rise?

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SENATOR SULLIVAN:

For the purpose of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR SULLIVAN:

The Senate Energy and Environment Committee will meet at noon in Room 400. Energy and Environment, noon, Room 400.

PRESIDENT PHILIP:

Thank you. Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For purposes of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR PARKER:

The Senate Transportation Committee will meet at noon in A-1, where we usually meet. Noon, at A-1.

PRESIDENT PHILIP:

Thank you. Senator Shadid, for what purpose do you rise?

SENATOR SHADID:

Point of personal privilege, Mr. Chairman -- Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR SHADID:

Serving as Honorary Pages today are Sara Kumerow and Eman Hassan. Eman is the daughter of Nia Hassan. I'd like the Senate to welcome them to the Capitol.

PRESIDENT PHILIP:

Will she please rise and be recognized by the Senate? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Point of personal privilege, Mr. President.

PRESIDENT PHILIP:

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State your point.

SENATOR ROSKAM:

Mr. President, I'm joined today by a friend and constituent, Gretchen Strom, and her daughter, Erin Strom, and Sarah Russell, who are down visiting today.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? Resolutions.

SECRETARY HARRY:

Senate Resolution 170, offered by Senator O'Malley. It's substantive.

PRESIDENT PHILIP:

The Senate will stand at ease till 1:30. 1:30.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Senate Bill 48 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

Senator Syverson, Chair of the Committee on Public Health and Welfare, reports Senate Bill 373 - the Motion to Concur with House Amendments 1 and 2 Be Adopted; Senate Bill 933 - the Motion to Concur with House Amendments 1 and 2 Be Adopted; and Senate Bill 1493 - the Motion to Concur with House Amendment 1 Be Adopted.

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bill 846 - the Motion to Concur with House Amendment No. 1 Be Approved for Consideration; the Motion to Concur with House Amendment 1 to Senate Bill 1175 Be Approved for

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Consideration.

Senator Dillard, Chair of the Committee on Local Government, reports Senate Bill 754 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 1 to House Bill 1521 Be Adopted; Senate Amendment 1 to House Bill 2911 Be Adopted.

Senator Parker, Chair of the Committee on Transportation, reports Senate Bill 699 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Amendment 1 to House Bill 1599 and Senate Amendment 3 to House Bill 2900, both Be Adopted.

And Senator Cronin, Chair of the Committee on Education, reports Senate Amendment 2 to House Bill 3050 Be Adopted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 2207, with Senate Amendments 1 and 2.

Nonconcurrent in by the House, May 30th, 2001.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 263, with House Amendment No. 2 to Senate Bill 263.

Passed the House, as amended, May 30th, 2001.

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We have like Messages on Senate Bill 372, with House Amendment 4; Senate Bill 926, with House Amendments 1 and 2; and Senate Bill 1069, with House Amendments 1 and 4.

All passed the House, as amended, May 30th, 2001.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Resolutions.

SECRETARY HARRY:

Senate Resolution 171, offered by Senator Robert Madigan and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar. Senator Karpiel, for what purpose do you rise, madam?

SENATOR KARPIEL:

Thank you, Madam President. To announce a Republican Caucus in Senator Philip's Office immediately. For all the Senators that are not here on the Floor yet, I hope you can hear this announcement. We're having a caucus in Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Karpiel announces there will be a Republican Caucus immediately after our recess. Senator Smith, for what purpose do you -- rise?

SENATOR SMITH:

Thank you. Thank you, Madam President. I would like to announce that there will be a Democratic Caucus in Senate Democratic Leader Jones' Office immediately.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Smith has announced that there will be a Democrat Caucus in Senator Emil Jones' Office immediately after we recess. Senator Karpiel announced that there will be a Republican Caucus in Senator Philip's Office immediately after recess. Ladies and

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Gentlemen of the Senate, we will be recessed until 3 p.m., the call of the Chair, after 3 p.m.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

...requests permission to shoot photographs. Hearing no objection, leave is granted. Senator Philip, what purpose do you rise?

SENATOR PHILIP:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PHILIP:

Yes. Very, very, very happy to report to you that our old friend, John Maitland, is here today. We couldn't be any more pleased or -- be any happier. We certainly have missed him, his advice. He's always one of the most courteous Members we've ever had here and always willing to work with everybody and does a great job, and reflects his community as well as any Member of the Senate. John, we're so happy to see you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome back, Senator Maitland. ...Membership turns to the middle of page 15 of your regular Calendar, to the Order of House Bills 3rd Reading. Middle of page 15, in the Order of House Bills 3rd Reading, is House Bill 1599. Senator Luechtefeld, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Luechtefeld seeks leave of the Body to return House Bill 1599 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1599. Mr. Secretary, are there any Floor

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amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Luechtefeld.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. Chairman, Members of the Committee. This particular bill - the amendment becomes the bill - 1599, deals with the coal bill, and as you know, this is something that's been discussed an awful lot in the -- here in Springfield for a long time. Many of us, especially downstate people, have spent a lot of hours wondering what we could do for the coal industry. In many situations, it looked rather desperate. For the first time in a long time, there does seem to be some light at the end of the tunnel, and, you know, I think we have, with -- with the energy problem in California, certainly, with new technology, with the price of natural gas, once again people are interested in the -- in, possibly, Illinois coal. This bill was put together. A number of -- there were a number of bills out there, in the House, one here in the Senate. The Governor's Office finally put together those bills into one bill. And I, again, would like to thank the Governor and -- and the Governor's Office for -- for doing this, because maybe without that, nothing would have happened on -- on coal. If we're going to do something on coal, this certainly is the time to do it. It does appear that power companies are going to make a decision as -- as to where they might use coal-fired generators here in the Midwest. Certainly Kentucky, Indiana, Ohio and Illinois are a possibility. This, hopefully, will give us -- and -- and, basically, that's all we ask, is that it gives us an equal footing with those -- those neighboring states. Illinois has a very high BTU fuel. They also have more -- more coal than any two states put together in the

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United States. Again, this bill gives some incentives for -- to try to entice the -- the industry to the -- power industry to come into our State and generate electricity. There have been a number of people, other than the Governor, that I'd like to thank for putting this -- getting -- to create interest in it, and many of them come from not only southern Illinois, but certainly the northern part of the State. They're interested in -- in -- in cheap -- cheap power. They're interested in not having the same thing happen in Chicago that has happened in California. You know, certainly, people have been talking about coal a long time. Senator Lauzen, for instance, when I came here, was talking about coal already, and he certainly is not in southern Illinois. Senator O'Malley. There have been a number of people on that side of the aisle. Certainly Senator Woolard and -- and Senator O'Daniel. And of course, the Leader of our committee dealing with energy, Senator Mahar, has played a very big part in this. Again, these incentives, I could -- I can sort of give you a rundown of what they do. There are -- three billion dollars of revenue bonds. Five hundred million dollars of general obligation bonds. There's also a High Impact Business, which we already do an awful lot of this through DCCA, and then there are some -- some language in there dealing with the property tax abatement that local communities can -- can give. There also is language that Senator Radogno had in a bill. 372 dealt with clean air. That particular bill is part -- also part of this bill. Would be glad to answer any questions that you might have, and hopefully we can get some support for this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator O'Malley.

SENATOR O'MALLEY:

Senator Luechtefeld, I know that you have been working hard on this legislation and, frankly, on this issue throughout this Session and -- and certainly previously, along with other Members of the General Assembly. The -- the part of the legislation that I'm especially interested in clarifying for everybody in the Chamber has to do with the authority for the Illinois Development Finance Authority. I understand that the financing that is created under this package is in the amount of three billion dollars. And according to the information I have, 1.7 billion dollars will be used and issued to finance new electric generation facilities. Again, of that three billion, five hundred million may be used for alternative energy sources. Another five hundred million may be used for scrubbers at existing -- generation -- generating plants. And up to three hundred million may be used for transmission facilities. There's also a cap of four hundred and fifty million dollars to any one borrower. These bonds would be payable only from the revenues pledged by the private borrowers. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

And there would be no State moral obligation backing on these bonds.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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That is true.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

And finally, there would be no State tax exemption on interest on the bonds. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

That is also true.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Senator Luechtefeld. To the bill: I think that in -- in -- in conjunction with what we discussed here on the Floor of the Senate yesterday concerning Senate Joint Resolutions 34 and 35, this is another part of the puzzle that needs to be put in place so that there are resources available to make what we believe can happen in the State of Illinois, and in particular, in southern Illinois, and for exactly the reasons that Senator Luechtefeld said, including to provide for relatively inexpensive electricity throughout the State and certainly in the northeastern part of the State, where I come from. So, Senator Luechtefeld, I applaud you for your continuing interest and hard work on this. I suspect this will not be the only bill that we will see, and we probably will see additional legislation as soon as the Veto Session, perhaps in the form of a trailer, to make sure that the things that we learn over the summer will be fully implemented so that we have all the resources that the State can bring to bear to make this happen. I appreciate all your efforts.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair would remind the Membership that we are currently on

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2nd Reading on recall. We will be going immediately to 3rd Reading. So you can debate it either now or on 3rd Reading, but the Chair would just advise you that we are on -- on recall. Associated Press requests permission to take photographs. Hearing no objection, leave is granted. Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President, Members of the Senate. Senator Luechtefeld, I also applaud your effort and your initiative in bringing this bill before the Senate. Is it your legislative intent on this amendment that these bonds will be used for facilities that will use our Illinois coal, not any coal from any state?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen. Any further discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. I just had some questions. I'm happy to save them for 3rd, if that's what the sponsor would prefer.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 1599. Mr. Secretary, read the bill.

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SECRETARY HARRY:

House Bill 1599.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. We -- the amendment becomes the bill. We have -- we've explained it somewhat. Would be glad to take any further explanation or any comment or any questions at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Obama.

SENATOR OBAMA:

You know, I am a strong supporter, I think, of downstate coal interests and our need to prop up and improve the outputs downstate. I received a number of letters just last minute; otherwise, I would have shown the courtesy to Senator Luechtefeld of meeting with him privately and getting some answers to these questions. But I just wanted to see if I -- as I'm preparing responses for people back in my district, who may be concerned about the environmental impact of this bill, if he can answer a couple of questions. First of all, one -- one concern that's been raised to me is the possibility that the credits that are going to be provided through this bill will be going not only to new facilities that come in, whether coal or natural gas, but may also be provided to natural gas facilities that are already in the

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process of being built, and so that these companies are going to be experiencing a windfall of some sort. Again, I'm primarily responding to queries from my district, so I -- I hope you don't mind me just asking you a couple questions on that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, this bill doesn't really create any new credits that I know of for -- for anything. Now, are you talking -- you're not talking about tax credits. You're talking about the credits for pollution? Is that what you're referring to? It doesn't, that I know of, create any new credits.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

Sorry about that. The -- the information I had - and I may be mistaken on this - was that there were going to be additional sales tax exemptions that were provided for construction of new power plants through this bill. I may be mistaken about that, in which case I'm glad I asked. Am I incorrect about that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, there are -- there is a sales tax credit with -- for instance, for the equipment used to build these plants. Yes, there's a considerable amount of sales tax that will be waived with this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

So my analysis shows that we've got an investment tax credit, a sales tax exemption, a utility tax exemption and a property tax

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abatement for the new power plants. I guess those are the credits that I was referring to. Am I correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, Senator, all those are in there. Now, the property tax basically has to be abated by the local -- the local government -- governing agencies.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

So, just to see if I can narrow my question down. I understand the rationale of providing new credits if, in fact, there is not construction going on. There's -- it's an incentive for new plants to be constructed. My concern, I guess, is whether these credits are going to be retroactively provided to plants that are already under construction. That's the question that I have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

They do not. They -- the construction has to start after July 1st, 2001.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

The other area of concern that's been raised in some correspondence from my district has to do with what incentives are built in to this package in order to ensure that the most environmentally friendly processes are utilized in these power plants, because obviously, historically, one of the concerns about coal-burning plants has been its impact on the environment. I

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think we're all recognizing that, given the energy crisis that's occurring, we may have to balance environmental concerns with production concerns. But I'm wondering what kinds of -- what's in this package that ensures that we, as much as possible, are -- are making these relatively clean-burning plants coming on line.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, there are standards out there already, and -- and the company that builds those plants are certainly not going to invest two billion dollars and then find out a year later that they don't meet those standards.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

SENATOR OBAMA:

So my understanding would be, obviously these new power plants would have to abide by whatever federal standards are already in place. My question is, I guess, are there any additional incentives or provisions contained in the bill that would, in fact, encourage or -- or further facilitate the ability of these plants to, for example, put in scrubbers or other amenities that would make these plants -- or -- or reduce the impact that these plants may have environmentally?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, there -- there are -- there are incentives for -- if you wanted to put on new scrubbers -- for new construction, you want to put on new scrubbers on an old plant. Yes, there are -- there are incentives through sales tax for those.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama.

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SENATOR OBAMA:

Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are six additional speakers, Senator Petka. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I commend Senator Luechtefeld for working so hard to get a bill that will provide some needed energy for the State of Illinois. Illinois does not want to be in the position of California. And we -- I can tell you right now, with the nuclear plant closing in my area, in which it's closed, and -- we have to scramble for energy. Sure, we have -- they say we have plenty of megawatts and what have you, but we could never have too much of energy because we need energy for everything we do. We need energy to run our plants. We need energy to run our homes. We need energy to run surgical procedures in hospitals. We need energy, period. And I think it's -- it's a good bill. And I think we should go ahead and support it. I have coal plants in my county, and I understand that Senator Radogno's bill, 372, is incorporated in the bill, from what Senator Luechtefeld said earlier, which also provides for clean environment on the coal plants. And I think it's time that we used our common sense and realize that we cannot do without energy and we cannot wait till we're down at the limits before we do anything about it. And I heartily support - H-E-A-R-T-I-L-Y - is what I'm saying - this bill of Senator Luechtefeld's and urge everyone else to support it, too.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Philip.

SENATOR PHILIP:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR PHILIP:

Yes. We have His Excellency the Governor on the Floor. Your friend and our friend, the Honorable George Ryan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to -- welcome to the Senate, Governor. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I rise in support of this bill. Normally, a legislator from Chicago wouldn't have too much interest in a coal bill, and I actually wouldn't have known much about this bill but for the fact that I got a call from a guy I went to law school with. He was out in California. He's the head of a major energy company. He called me and said, "Hey, there's a bill you guys got in Illinois that is a great bill, a great concept, and if it passes, we're going to come and spend hundreds of millions of dollars in your -- in your State." So, I said, well, I better look at this, and the bills were over in the House. So I looked at the bills. There was two bills. One was by Representative Granberg, who's on the Floor, which was a very good bill, and the other one was a bill by Representative Daniels, the Republican Leader. So, I read the bills, and I said -- called my friend back. I said, we got a problem here, because apparently there's going to be a little political fighting going on over in the House between the Republicans and the Democrats. And quite frankly, the Republican bill had some problems with it - it had some constitutional

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problems - so I don't know if anything's going -- going to happen. Well, it turns out, at that point in time - and I'm glad the Governor's on the Floor because he should get credit - the Governor called a coal summit, brought everybody together. We had -- people from the Senate were there, and the Governor's Office and the Governor was able to forge this bill. And I can now report to my friend that this is a great bill for Illinois. It's not going to cost the general revenues any money. It's not going to cost anybody from Chicago any money. Similar to the way we make money for the State with McCormick Place, this is going to make money for the State through the coal industry. The other thing that is a little disappointing is, you know, the -- I have a great environmental record. I support the environmentalists. For them to criticize the bill is not appropriate. There's things, perhaps, that they would like to have in here that are not here, but that's the subject matter of different bills. Any new plants that are going to be built are going to be built to new plant standards. And so we are finally going to solve the problem. I've been here twenty-two years. There's been bills dealing with coal every year, and -- and we all kind of roll our eyes and say, "What are these guys trying to do to us now?" This one is really going to work. We're going to get the scrubbers on the new facilities, and we're going to start using Illinois coal. It'll be great for the entire State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. First of all, Senator Luechtefeld, I really do

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applaud your efforts to create economic growth in southern Illinois. For Members of the General Assembly and the Senate that don't know this, I grew up in southern Illinois, so I'm very keenly aware of the problems that they face and some of their concerns. Per our discussion, however, Senator, one of the -- the comments that I made or one of the concerns that I have is relative to the five hundred million dollars' worth of general obligation bonds that the State will issue for this project. And I requested that you, perhaps the Governor's Office, our staff and others investigate the ability of the State to secure its interest in this project. Would it be your intent to try and find a way to do this prior to the issuance of the bonds later on this year in the fall?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, you -- you certainly brought -- brought up, I think, a very good point, and it's a little late, for instance, to do that right now. But I -- I agree with you, and hopefully we can take a look at that and...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Woolard.

SENATOR WOOLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I had the privilege of standing before you just a few short days ago and -- and kind of shared with you some of the things that I felt was happening to southern Illinois that was not in our best interest. But I stand before you today thanking you for the opportunity to come back, in a very short period of time, and present something that can make a difference for the people of southern Illinois. This is not just for us. And I think others have said this very eloquently and correct: This is for every

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person in this State, because every one of us are going to be needing the additional electricity that's going to be provided through this legislation in a very few years in the future. I'm here to tell you that this can do all kinds of good things for the region that I live in. It can put those people back to work that's been out for the last several years. It can make a difference in their lives. It can -- it can even do more for us than sometimes we realize. The equalized assessed value is so low and depressed because of the economic hard times that we've been on with the closure of the coal mines and other industry in our region. With this opportunity, we now will have the chance to hold our heads high and to actually believe that with the expanded utilization of coal and the utilities that will be forthcoming, that we can have the equalized assessed value to start paying our fair share. We thank those of you for -- coming from the better parts of this State that have the ability to help us with those responsibilities that we've had, that we've needed to provide for our children. But now, with this bill, we believe we can help you to help us make a difference for those kids. I want to thank Senator Luechtefeld for the leadership that he's providing here. I think that our Leader, Leader Jones, and your Leader, Leader Philip, need lots of credit for making sure that we stood tall in this process. I think that we all were scared to death that this was going to be a political football, and there was only one individual that could step forward and make that through the process, take this bill to this place and successfully present it in a way that we can all support and make a difference. And I'm here to tell you that I want to personally thank Governor Ryan for the leadership that he has provided, for the direction that he has given and for the bill that we have presented before us today. Thank you, all.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Further discussion? Senator Noland.

SENATOR NOLAND:

A question of the sponsor, for legislative intent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Noland.

SENATOR NOLAND:

Is it the purpose of the amendment to Section 940 of the Property Tax Code in this bill to allow any taxing district to agree to abate a portion of the property taxes on a new electric generating facility or other facility meeting the criteria specified in the amendment that is going to be constructed in the taxing district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Does the amendment limit the period of the abatement agreement to no more than ten years, and does it place strict caps on the amount of taxes that can be abated?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Does it also provide that the larger the amount of new investment in the facility, the larger the dollar amount of taxes that can be abated?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Will this amendment enable -- local taxing districts to provide an incentive to potential owners of new generating plants to locate them in the taxing district?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, it will.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

This amendment provides that the authority of a taxing district to abate taxes expires on January 1, 2010. Does that mean that at any time up to January 1, 2010, a taxing district could agree to abate the taxes on a new generating plant under those provisions for the following ten years? For example, a taxing district could decide on January 1st, 2005, to abate the taxes on a qualifying plant in accordance with this amendment until 2015.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I was not aware that you were as up on this as you are, but that certainly is correct. Yes, it is.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

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SENATOR NOLAND:

I give credit to Senator Tom Walsh for most of this, but I have one more -- one more question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Continue with your spontaneous remarks, Senator.

SENATOR NOLAND:

In -- in -- in order for a taxing district's abatement of taxes to be effective for a qualifying electric generating plant, would the plant owner have to agree to repay all the abated taxes, plus interest, if it closes the plant before the end of the ten years?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Yes, that requirement is provided for in the amendment.

SENATOR NOLAND:

Outstanding. Outstanding.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Just like on the sheet.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Welch. Patrick Welch.

SENATOR WELCH:

Thank you, Mr. President. Let me just say that in addition to a bill being a coal bill, it does a few other things, and that is it -- it does have several provisions in here that actually are environmental-friendly. And actually they're -- they're funded at quite a substantial level. In particular, this bill creates the Energy Efficiency Investment Fund to support wind power, biomass power and solar power technologies. It's also allowed to accept private and public finds, also federal funds. It also creates the

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Clean Coal and Energy project fining component -- financing component: up to five hundred million dollars for alternative energy sources, including renewable energy or converting biomass to fuel; up to five hundred million dollars for scrubbers at existing plants. That's a -- that's one billion dollars already in alternative types of -- of energy production or cleanup. In addition, there's three hundred million dollars for financing transmission lines. I read an interesting statistic in the last two weeks about transmission line, and that is that ten percent of all energy created is lost because of poor transmission lines. If we just had better lines to carry the electricity, we would do a great deal towards solving the lack of energy in this country. The loans that are available can be used for renewable energy, scrubber and other clean-coal technology, and projects to enhance the use of Illinois coal. This is a somewhat balanced plan. It's a lot more towards helping the environment than I expected, frankly, and I think that there should be a lot of credit. Certainly on our side, Senator Wooldard kept us well apprised of what was going on. Senator Luechtefeld did a great deal of work. I see at least six House Members here from the task force we served on, and probably the person who got everybody settled down after our first meeting, when there was a big argument, the person who got everybody to come to an agreement, Renee Cipriano is on the Floor. She did an outstanding job, and she should be commended as well. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members of the Senate. I rise in strong support of House Bill 1599. You know, that -- everything that California has done wrong, we have done right. Not only that we do not have shortages in Illinois, we are not experiencing the

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rocketing -- skyrocketing rates. In fact, our rates in Illinois have gone down by four billion dollars. If you're lucky enough to reside in Commonwealth Edison's service territory, another five percent of your bill will be reduced on October 1st. But this bill deals with more than coal. As been mentioned, also natural gas. We have about twenty-six thousand megawatts of generating capacity in Illinois, and I anticipate from this bill, hopefully, to get two major base-load coal plants in Illinois and six to eight natural gas plants. This could mean that we'll be in the top three energy-producing states in the United States and that we will be able to meet not only our needs for 2005, when we go to open access, but also to be able to be a major exporter of electricity in -- in this country. Mr. President, I know you're listening to every word. There's only one thing that -- Senator Luechtefeld, that -- that this thing is missing, and that is a requirement the Department of Commerce and Community Affairs erect billboards from one end of California to the other, in every industrial park, every high-tech park, and tell 'em -- that should state, you know, we don't -- we have -- may have whiteouts in Illinois, but we don't have blackouts; come and see us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. Mr. President and Ladies and Gentlemen of the Senate, I come from a county that has the largest coal reserves of any county in Illinois, in the County of Macoupin. And I'm surprised that my friend, Larry Woolard, didn't tell you that when he was up. The fact is, is that the three active coal mines that we currently have in the county obviously have been -- have been struggling for some time. And just recently, we had an opportunity to have a rally on the city square on behalf of Crown III, in Virden, to work out some compromise with the company in

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order for us to maintain the workers that we had and afford them the opportunity, and their families, to keep working. But I'll tell you a little story about me. When I was a boy, my father was a coal miner as well. And I remember, they built a new steeple in one of the coal mines in the county, and everyone thought that was a good sign, that looked like work was going to be around for awhile. Well, as soon as they built the steeple, when they got it going, my father went to the mine one morning and was locked out. They had closed the mine. And we had quite a struggle. So I don't want to see any family or child have to do and struggle the way we did back in those early days. But the fact of the matter is, is that if we had such a program such as this, this might have given us hope and some opportunity, that he wouldn't have to change his -- his -- his work -- jobs and he would have an opportunity to go back into those mines as well. But that's beyond salvation. Fact is, we have an opportunity now. We're obviously a crisis-oriented Legislature, and since there is, in fact, a crisis that looms, it would seem to me that this certainly ought to have an opportunity to -- to pass and have an opportunity to afford these men and women, both who are working and those who will have an opportunity, to prosper, along with their families. And I would rise in support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

Well, thank you for all your comments. I -- I really didn't realize the bill was quite that good, but it appears it is. You know, I -- an awful lot of people were involved in this. There were a lot of people in the House, certainly, and a lot of people here in the Senate, and as -- as has been mentioned a number of times, in the Governor's Office, Renee Cipriano. I think unless the Governor did this, I don't think it would have come together.

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And -- and I do appreciate that. You know, we all know that this bill's not going to turn southern Illinois around tomorrow, and -- but it does give us an opportunity. And I think that we -- we do see light at the end of the tunnel, for the first time in a long time, and -- and that's all we can ask for. And I would appreciate your Aye vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 1599 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay and none voting Present. And House Bill 1599, having received the required constitutional majority, is hereby declared passed. Committee Report.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measure has been assigned: Be Approved for Consideration - Senate Amendment 4 to House Bill 2900.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito, what purpose do you rise?

SENATOR VIVERITO:

Point of privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR VIVERITO:

Something on the sweet side. There'll be ice cream being served in the President's Chamber from the Comptroller of the State of Illinois, to sweeten everybody up a little bit. How about that? Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

It's in Room 317, Senator Viverito, not the President's Chamber. Turn your attention to the top of page 16. In the Order

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of House Bills 3rd Reading is House Bill 2900. Senator Sullivan, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Sullivan seeks leave of the Body to -- to return House Bill 2900 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2900. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Sullivan, Mahar and others.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan. Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I move that we table Senate Amendment No. 1 and Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Hearing no objection, Senate Amendment No. 1 and 2 are tabled. Any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 is the lion's share of the telecommunications rewrite. I would ask that we debate this in full on 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Sullivan.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. Amendment No. 4 is a more technical amendment having to do with special access.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor -- Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senator, I think I know the answer to this, but this is the -- the special access that was agreed to by -- by the parties. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Yes, it is, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the -- on the Order of 3rd Reading is House Bill 2900. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2900.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2900 represents over eighteen months of work that all four caucuses have been actively involved for hours and hours in hundreds and hundreds of meetings. I would like to give you a description of what this bill does and then answer any questions. If you're looking for greater competition in telecommunications, if you're looking for more protection for our consumers and higher service quality standards for our consumers, this is a good vote. This is a good bill. I'd like to thank Members of all four caucuses, who have been diligent in their efforts. The chairman of our committee, Senator Mahar, has been terrific in his leadership on -- this issue. Senator Philip has been stalwart, as we have gone through this. This has truly been a bipartisan, bicameral effort to effect greater public policy for Illinois. To the bill: House Bill 2900 is favored by CUB and AARP. In it, we call for the deployment of advanced telecommunication services to the point of eighty percent of service areas by January 1st, 2005. We want high technology to come to Illinois, and we want it to come here now. In terms of business issues - and the IMA and IRMA are in favor of this legislation - right now business customers in Ameritech's region have no protection from higher prices. We are stepping in to settle a case before the ICC that will result in a one-hundred-twenty-million-dollar fine that Ameritech will pay. Ninety million of that will go as refunds to business customers in the Ameritech region. The other thirty million will go to two digital divide funds. And we will step in and protect our small business neighbors. Four lines -- four phone lines and under will be protected by the Illinois Commerce Commission. This digital divide is something that has been discussed extensively and we needed to try to address, and in this bill, we do that. We are creating two digital divide funds: the Digital Divide Elimination Infrastructure Fund and -- and the Digital Divide Elimination Act

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{sic} (Fund). In this, we will try to take care of urban and rural poor areas that do not have the financial capability to fund high-technology advancements. Thirty million dollars will go into this fund. In addition, forty percent of penalties that are paid by carriers because of violations of this Act will go into these funds. In addition, carriers can voluntarily contribute money, which they do in other states, to this fund, and consumers will have the chance to voluntarily contribute to this fund. Right now there's a similar fund that consumers voluntarily contribute, in Illinois, eighty thousand dollars a month. So we are looking to have a well-funded digital divide fund. In our effort to try to get flat-rate packages for our consumers so that consumers have greater choice, we are not stipulating in this legislation what those prices are. The carriers will work that out with the ICC, which is the proper avenue, but we do give general guidelines for a budget package for residents who want unlimited local calls; a flat-rate package which gives unlimited local calls and choice of other vertical services, such as call waiting, call forwarding, caller ID; and an enhanced flat-rate package which gives the unlimited calls and can be available for up to two lines and it gives the vertical services I just mentioned, plus high technology. Service quality has been a major discussion in this presentation. We are making greater service quality standards for our constituents, the customers of these companies. We are requiring that basic service would be installed within five days of a customer's order. So, hopefully, we will have no more complaints about installation not happening, and if there -- if that does not happen, the customer will get a credit or alternative phone service, at the customer's option. Another customer service issue that has been in the news out there has to do with outages. And we have, on a pro rata basis, if there's a phone outage for twenty-four hours or more, the -- with each day

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you work up to, the full month's service charge would be credited to the customer, and if you get over a hundred and twenty hours, you then get a twenty-dollar-per-day credit on top of that. And we also talk -- in this legislation, we make sure that the carriers will keep their installation appointments with the customers. One of the more contentious points of this bill has been competitive provisions. How do we open up the market so that there is genuine competition? This has been a well-debated and well-discussed issue in our committee. We have a package in front of you that will make sure that competition will come fairly to Illinois, so that the network -- the phone network for competitors will be open on a -- reasonable and nondiscriminatory {sic} (nondiscriminatory) terms. Now, if any of these items are violated by the carriers, the penalties will increase. Chairman Powell, of the FCC -- Chairman Powell, of the FCC, recently requested that federal penalties increase eightfold, from 1.2 million to ten million dollars. We are taking a similar route here. These penalties will increase eightfold, from a maximum of thirty thousand dollars to a maximum of a quarter of a million dollars. We need to make sure that the law that we are writing, that the law that we believe is the best policy for the people of Illinois will be followed, and these penalties will make sure that that happens. Attorney -- Attorney General Jim Ryan has been a terrific advocate on many consumer issues, and this is one of those. In terms of slamming, cramming and jamming, we have worked with the Attorney General's Office to make sure that our law is second to none, so that we can, again, protect our consumers. Slamming, cramming and jamming, for those of you who don't know what they are: Slamming is -- is an unauthorized switching of a customer's service; cramming is adding or changing some portion of your service without your permission; and jamming is when one carrier -- when you want to move, as the customer, from one carrier to another,

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and your incumbent carrier blocks that. An issue that was divisive a few years ago - but we have reached out to the Press Association in our discussions, and have -- they have polled their board and they are in favor of this provision - as you know, the ICC is a five-member body. We are changing their quorum to four members, which means that two members can actually discuss policy. When the Democrats go into caucus or the Republicans go into caucus, we have the ability to discuss policy. Right now, the commissioners do not have that ability to communicate with each other about matters before them. We want them to be able to do that so that every time they're not -- they're doing it, they're not in the public. We have also had mediation and arbitration, case management items in here, basically, to hurry the process. Not to hurry it so it's too quick, but it is voluntary effort so that the -- the carriers involved, the customers involved can have -- can choose, if they want to, to have their process, their appeal, expedited at the Commission. We have -- also have legislation in here to increase enrollment in the lifeline and Link Up service, basically so our low-income neighbors can get greater access to federal dollars for this program to help pay with -- for their phone bill. In this bill, there are no rate increases and there are no tax increases. Verizon will be able to take their Yellow Pages out of how they balance their revenues and expenditures in 2003. And this bill has a sunset of July 1st, 2005.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

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SENATOR JACOBS:

I just have one question, then I've got some remarks to make. But, Senator, the General Assembly authorized telecommunications infrastructure maintenance fees in 1997 as a way to keep municipal -- municipalities whole after Congress deregulated the telecommunication industry in 1996. Is that in this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

No, it is not.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, in response to that, is it in any other piece of legislation which allows that to continue?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

I believe the Chairman of the Appropriations Committee has had legislation on that. I -- I don't know where it is in the process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

The reason I ask is because the Northwest Municipal Conference has a problem if that's not in there. If municipalities lose these fees, it will create large holes in their budgets. For example, seventy-one Chicago suburbs will lose over 10.3 million from wireless carriers alone if the General Assembly does not restore the municipalities' power to impose the IMF. That -- that, to me, poses a problem, but to the bill: This -- this bill has been sold as a pro-consumer bill. There are some good things

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for the consumer in this. Senator Sullivan has addressed those. But, again, in the area of service quality, that's where we're doing a good job in this bill. But in this bill, we have to remember, there is no true reduction for the local phone user. Now, there's the idea that the programs, whenever they get on board and to bet on the come, that those may reduce prices, but that's up to the ICC. So we don't know if there will be a rate reduction in this bill for the everyday user who doesn't have the service problem, and there are those in this State. We will see reduced revenues, in my estimation, to the -- to the local exchanges who have billions of dollars invested and may very well lead to future service problems, and that is a concern that I have. As you indicated, the Retail Merchants and the -- the IMA are in favor of this bill. I can understand why: They're getting a nice little chunk of money, settle a claim that they may have had to go to court and fight for. But I do want to state that labor remains opposed to this bill. As most of the country is trying to move toward deregulation - and we were the leader in the country whenever we first went to the dereg - now we seem to be wanting to be a leader again, but this time we want to be a leader in reregulating. This bill gives tremendous amount of -- of authority to the Commerce -- Commission. As an example, SBC pays into the digital divide the full thirty million dollars. That then goes to all areas of the State, even to those -- those companies that are not part of the SBC territory. I think that that is -- is a wrong thing to do. And you indicate that -- that there's fifteen million/fifteen. That's over three years. That's five million in -- in the Infrastructure Fund, five million for the computers. But, you know, the intent of this bill is to get good quality service, have everybody agree, have everybody do the -- perform their services so there will be no fines. So if there are no fines to digital divide, basically the money dries up. You

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know, I think we also have to look at, you know, trying to do "feel good" bills. I think all one has to do is look at California right now with their electrical dereg. Whenever they did that, that was a feel good bill, and everybody said "Hoorah, it's going to mean great things for the State of California." And we all know the problems that they have at this particular point. Just a week or so ago, this Senate Body decided to give Boeing fifty-some million dollars to bring them to Illinois, and that was the right thing to do. But at the same time, we should not willy-nilly attempt to pull the rug out from under a multibillion-dollar company who has billions invested in Illinois and spends billions of dollars a year in Illinois wages, taxes, vendors and in their infrastructure. And finally, let me just say that this bill does not apply to all phone companies equally, which I think you alluded to, Senator. GTE/Verizon has been excluded from most parts of this bill, and you -- you made reference to the fifteen million dollars that is being removed from the revenues because of the Yellow Pages. In my estimation, when they go back to the Commission at a future date, that's fifteen million dollars less in profit they have to report and could lead to a -- a -- actually a increase in the rates of those areas. This is a -- a very complex bill, Senator, as you indicated. I want to thank the people from our side of the aisle that have worked so diligently. And, Senator, believe me, we haven't agreed on everything on our side. So whenever we don't agree with everything you have, don't feel hurt. So in -- just in closing, I just think that this is a bill that -- that should have been massaged a little more, and I know we've tried. But I think that we were ninety-five percent there, and unfortunately we started running out of time. And because of that, I ask for a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Further discussion? Senator Weaver. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. Chairman. I'd move the previous question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

There are nine additional speakers, Senator Weaver. Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Shaw.

SENATOR SHAW:

On the -- Senator Sullivan, would you explain the two digital divide funds that you -- that this bill sets up and how they work?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you. The digital divide fund is basically to try to take -- one is to take care of urban poor and the other is to take care of rural poor in infrastructure issues and in technology issues, to make sure that we don't have a gap in Illinois, that we are able to take care of bringing necessary technology to all parts of the State.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Am I to understand the one that are set up with the Illinois Commerce Commission is to take care of the rural poor; the one that's set up with DCCA is to take care of the urban poor?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Correct.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Well, in the language that you have dealing with the economic -- bear with me -- the Digital Divide Elimination Infrastructure (Fund), and then you have the Digital Divide Elimination Fund. But when you go to the language of the bill, you -- you take twenty percent of the -- of the forty percent and you put in the -- into the Infrastructure Fund, as well as the Elimination Fund. You split that, the forty percent. But what does not happen - what does not happen - in the original language in the bill, you -- how do you account for -- if one is urban and one is downstate, how do you account for you being able to take the downstate and -- I might not have no objection to this. But the downstaters can get the money out of both funds, according to the language in the bill. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Actually, the penalties would be split evenly between the two funds. The one way that it is tipped in -- in favor of the urban fund, is the voluntary contributions would go into the urban fund. So it tips in favor of the urban.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

No, I'm talking about -- I'm talking about the part where the urban fund -- we -- those -- and when I say we, those people who live in urban areas, could not tap into the rural fund. But the language in the bill would allow the rural people to tap into the urban fund. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sullivan.

SENATOR SULLIVAN:

In terms of tapping into the funds, one is -- pretty exclusively for the urban and the other is pretty exclusively for the rural. They are pretty separate funds.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Can -- can you tell me where that is in the -- in the bill, where it makes that distinguish -- that distinction?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Can I get -- can I get back to you in one moment on that? We're trying to find the exact point in the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Okay. Until you get back to me, and this is the -- this is the basic problem that I have with the bill: We started off with thirty million dollars, and last Friday, they -- when I questioned why we was going give up the ninety million dollars and a hundred and twenty days, and then someone told me we would revisit this issue and correct that part of it, where that they are stretching the thirty million dollars out over a three-year period. That -- originally, that was not the agreement, and this is why I said earlier today, it's certainly -- if you're making these kind of decision, we should have been -- and when I say we, this side of the aisle should have been included in on that and this should have been a problem that you discuss. It's -- it's bad enough that only one company is paying into the fund. And certainly I appreciate the -- all of the potential contributions

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from the other companies, but then you want to take the thirty million dollars and stretch it out over three years. And we would -- this fund would be losing -- at a five-percent interest rate, we would be losing something like a million dollars a year in interest on the fund by stretching it out, where that the businesspeople would get their money. I realize this is their money and it -- and it comes back and they're being paid back. I understand that. But certainly by the time -- if you stretch this out over three years, this whole communication system would have changed, possibly, in the next three years. I think this bill sunsets -- there's a four-year sunset on this -- on this piece of legislation. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

That is correct. It's a four-year sunset. The items you were looking for earlier for your staff is on page 25 and 26.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

But -- and so, by the time we get the money, in the three years, it'll be time to rewrite this again. Why would we want to stretch this out over three years? Can you answer that question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Senator, as you know, I, in the -- since the beginning of this process, I have been an advocate for us having a digital divide fund in this package. We don't want to have a digital divide fund that will be good for the year 2002 and then will vanish. I think we have structured it so that this fund will have life to it, it will have growth to it. And my guess is that you are not going

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to, a year or two from now, not have any interest in this. You are going to contribute -- continue to want to have this fund be funded and continue to grow.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

My final remarks. It just seem to me that if we -- and it's my understanding that Ameritech didn't have any problems paying the thirty million dollars immediately. That's the information that I got from them today. But I have a hard time telling the young people down in Macon County somewhere, in the inner city in Chicago, that you got to wait for three years to get your high-speed cable to come in because the Members of the Legislature decided that you didn't need it right now. You -- it was better that you get it three years from now. Well, we're going to be going into some new technology three years from now, and I think everybody in this Chamber admits that. Why not do it -- what we can do now? And to say the least, five million dollars, when you stretch it out over five -- over this State, five million dollars is not a lot of money to be talking about wiring the schoolhouses, the libraries and the hospitals in this State. That is not a lot of money. Then to -- to come to this, you add -- I believe you cap it at fifty thousand dollars. I think this legislation is capped at fifty thousand dollars, at some point. Well, they might -- they might get the -- the wiring, but the computer is not going to be there. And I -- I didn't see -- I was told that it was -- it was capped at -- at fifty thousand dollars. That might be in error. But fifty thousand dollars is not a lot of money when you're talking about wiring the whole needed area of this State. And certainly I would -- I would welcome the House to take a new look at this in terms of -- instead of spreading this five thousand {sic} dollars out, is let's do the thirty thousand {sic}

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in lump sum and get it out the way where we can do something meaningful for the people and the children of this State, rather than stretching it out over three years. Half of these children will be out of college by the time they make application and get the money. I urge a No vote on the -- House Bill 2900.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Obama. Further discussion?
Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Clayborne.

SENATOR CLAYBORNE:

Senator Sullivan, I've been told over the last two weeks that this is going to be a very pro-consumer bill. And in talking to staff and -- and conversations in our -- in our caucus, I'm just not that convinced that this is a -- is a pro-consumer bill. I agree, in any service, anytime that we spend our money, a consumer spends his or her money, they should receive the best quality of services, whether it's going to the local gas station or it's going to the -- the local drugstore, whether it's your water bill, your -- your phone bill, your utility bill, whatever it is. I agree, and I think that we should make sure that that happens. But what concerns me is for those of us who don't have service quality issues, those of us who haven't been slammed, crammed or jammed, and those of us who haven't had outages, what is it in this bill, Senator Sullivan, that I can go home and tell people, after today or after tomorrow, that they will benefit from this law?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

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You can go to your constituents, and if they have not had any problems, this is a pretty good guarantee that they will not have problems in the -- in the future, because there are serious penalties in here for companies to make sure that there are not problems in the future. And you can ask any of your colleagues who live in areas where there have been serious service quality problems in the past, you don't want those. It has been a huge problem for -- for many of us, and you're -- you're going to make sure that it -- it doesn't happen. Also, there have been proposals, people have been talking about rate reductions, rate freezes. It'd be about sixty cents a month on someone's bill, if we did a rate reduction. Sixty cents a month. People got checks last year in the mail, and you can debate how much credit and how much good feeling there was on that. We're talking about sixty cents a month would be a rate reduction. People want service quality. Right now our rates in Illinois are not very high, as compared to other states. If we did a rate reduction, all of our competitive measures in here would almost be for naught, because the competitors would have a very difficult time getting in on even lower rates. So you're guaranteeing your -- your constituents that they're going to have terrific service.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Senator, and I -- I respect you a lot. We have -- born on the same date, different years, but, you know, I -- I -- you didn't give me the answer I was looking for. You -- maybe you did give me the answer I was looking for, that this bill falls short of really addressing the concerns of the consumer. You know, I was sitting here thinking, and I -- I was talking to a couple other individuals, and one of the things that came to mind, you know, there's this five-day requirement that if you -- if your

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services aren't cut on -- on within five days, then you suffer this penalty. Well, you know, over the last few years, we've made drastic changes on -- on -- from work -- from welfare to work, putting people on the payrolls. And, you know, there's a situation where some of them and -- and -- and not just them, but working families, where two people work, and maybe it's not convenient for them. You call the phone company up and they say, "Well, we're going to come out between 8 and 5 on tomorrow." Some people can't -- can't afford to hang around all day at home from 8 to 5. But I guess, if we're really truly consumer-friendly, we would have requirements in this bill to extend hours on Saturday, extend hours on Sunday, to allow the consumer to benefit. Is that anywhere in there, where we're adjusting the hours and making it more accessible to those who are paying the rates, to those who are supposed to benefit from this bill, that we're allowing greater access and convenience for them and not the -- the phone companies?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

We -- we have made tremendous steps in terms of how those service installations will be handled. You know, we're -- we're not telling -- telling the companies you have to be there within this hour, but we have made great strides. They will be much more on time after this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, I -- I guess you didn't answer my -- maybe you did answer my question again, Senator Sullivan, and I guess the answer to my question is, no, we didn't require more flexible times. We didn't allow for those working families or those -- those single

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mothers, who can't afford to stay around their house all day, to benefit from this. You know, I -- I -- we -- we talk about competition and you talked about competition, but my understanding, Verizon is excluded from 13-801 and they don't have to have competition. So, again, I guess we're pointing it out for one company to -- to allow for people to come in and be competitive, but for another company, we're saying, "You don't have to be competitive. We'll let you create your own little monopoly at some point down the line." Didn't -- doesn't this bill exclude Verizon?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Verizon is subject to all the service quality standards, and if Verizon chooses to go to alternative regulation, which is the form of regulation that Ameritech is under, they are subject to Section (13-)801.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

But right now, they're not subject to -- to (13-)801, even though they have their own exclusive territory.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

They are subject to all those points that go to federal law. They are not subject to any new additions in this package.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank -- thank you, Senator. I -- I guess I want to close by -- by saying this: Senator, you talked about rate reduction, and

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we can always say six -- sixty cents or five -- five percent. Who said five percent was the magic number? I think that when we go home - and we're here to represent our -- our constituents - when we go home, or when I go home, I want to be able to say that I know that you expect to get the best for what you pay for. That's a given. And we should have that in there -- in there to make sure that that happens. But I don't think this is truly a -- as consumer-friendly as people have made it out to be. Again, there's nothing in there for flexible hours to allow working families to be less inconvenienced and be more inconvenienced by these companies. I think that it is clear that -- by the fact that we have not really even attempted or debated on Floor -- on this Floor that should there be a rate reduction, should there be ten percent, should there be fifteen percent. But, however, when we gave utilities, when we did the dereg, we did put some rate reduction in there -- in there, and I don't think that we talked about five percent. I think it was a little higher. I think it actually got up to fifteen percent. But that's not even an issue. I think that when we walk away today, what we can say is we gave businesses, small business owners, ninety million dollars, as soon as this goes into -- a hundred twenty days, when this goes into effect; yet, as Senator Shaw has said, we're going to tell our kids, over the next three years we're going to divide thirty million dollars to address some of your -- your concerns, in terms of your education quality and the quality of life that you have. You know, it -- it -- it disturbs me that we talk about the fact that we're not going to -- to require -- we require flat-rate packages, but we've given them some guidelines. I think just to say that, you know, if we go back to the pre-1986/87 days where in -- in a certain -- territory you can make all -- I think in -- in -- pretty much in your area code, you can make all unlimited local calls. Well, we haven't gone there. We have not really done

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anything for our consumer, to -- our constituents, to go back home and say these are the benefits, but what we can say is if you ever have some problems, which they -- these should be addressed anyway, we're going to make sure those are addressed, but right now, for those of you-all who have no service quality problems, no slamming, jamming or cramming, no outages, this is not a bill that's going to benefit you. And that's unfortunate. We should be here to position ourselves to help our constituents improve the quality of life that they have, and we should require that this bill be more flexible for the consumer and more consumer-oriented. I urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

We have been debating this bill for approximately thirty minutes. We have six additional speakers. Further discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I got your message, and I'll keep my remarks brief. I rise in strong support of this legislation, and I want to thank Senator Mahar and Senator Sullivan, and all the Members on our side of the aisle for working so hard and so diligently and working together on what is a very, very complicated issue. It's complicated on one hand, but on the other hand, it's very simple. We all have had experience with our telephone service, either our cells or through constituents. And one of the things that's clear is that the quality of local phone service has been extremely poor over these last years, and that's as a result of Ameritech having monopoly control over the system. And while monopoly might be a great board game and works well that way, it -- it doesn't serve consumers well. And what this bill is about, really, is consumers and helping consumers to get better rates. I -- I think -- there's three points I just want to make. First, we're giving increased authority to the ICC to initiate

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penalties, penalties that will really have an effect and -- and make a difference in the way the companies operate. Two, we're giving automatic refunds to consumers when their service is bad. When their service is out for a certain amount of time, it automatically goes back to them. But the most important part of this bill is the part that deals with competition. What we've all talked about is Section (13-)801. This bill requires that we open up the networks, our networks, the public networks. Ameritech talks about them as their own. They're not their own. Those are networks that were built by ratepayer dollars. They were in a controlled environment. They took virtually no risk. They were guaranteed profits, and they made extremely high profits over the years, did not put those profits back into the infrastructure or into developing innovations, and we've all seen the effect of a monopoly control over a system. Bad quality service, no innovation and rates that have not come down as much as they should: This bill will address all of those problems. And I urge my colleagues to support it. I just want to add one more point on the labor issue. There's nobody in this Chamber, I think, that has a stronger labor voting record than I do or cares as strongly about working people. This bill, I believe, will create more jobs, more union jobs, and will be better -- and be better for the economy as a result. So I think this is a win-win for everybody, and I urge my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Patrick Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a very important bill, because it's dealing with trying to end a monopoly on services. When a monopoly is granted, the idea is that the State gives them the right to have certain customers in an area without any competition, as long as they live up to requirements of serving

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everyone, having decent service and an attempt to keep rates low by the Commission regulating that monopoly. What we've had here is an attempt to break open this monopoly, and it started to happen; however, it's been very, very slow going. And what we've had to do is come up with a bill to make sure that we take away some of those monopoly rights, because the company hasn't lived up to their responsibilities. And, you know, as I've sat in my office and had constituents call me and come in to see me, as I traveled around the district, I've had people come up to me and say, "Senator Welch, why is it that on my phone bill, I had this additional company charging me for services that I didn't ask for?" Well, they had their long distance services switched. We'll try to take care of that. "Senator Welch, what happened to the fact that I got a phone bill and suddenly I had caller ID on there, I had voice caller ID? I didn't ask for those. Those got stuck on my bill." Well, they were put on there, and those have to be taken off. "Senator, what happened when I got -- I got -- I requested some additional services and they didn't come out to serve me? I had to wait and wait." Well, they have to be out there on time. "Senator Welch, they called me and said they're going to be out tomorrow. They weren't there. I waited. I took off a day from work. Nobody called me. Nobody showed up. I called them, they said, 'I'll be out there tomorrow.' They didn't show up." That is what happens when you have a monopoly. That's what this bill is trying to prevent. That's why AARP is for this. That's why the Citizens Utility Board is for this. It's going to help consumers, not so much by saying, right out front, we're going to reduce your rates by ten dollars a month, fifty dollars a month. We can't do that in this bill. There's not enough money available in the pot to do that. But what it does is it takes care of those nagging problems that you have from utilities, the problems that we all hear about when you're out campaigning or

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when you're out -- out talking to people at the grocery store or at church. It takes care of those problems. It's not the greatest answer to every problem in the world with -- with phone companies. It didn't pretend to be that. But what it does, it takes care of a lot of problems people have every, single day. It tries to open up the monopoly and create competition. It tries to bring in other companies. If anything we've learned about the economy, is you need competition. We keep talking about California and how we don't want to have California happen here, with their energy problems. We don't want to have that happen with our phone system. "If we start deregulating, it could be terrible." "We could end up losing a lot of phone service." Well, it's a totally different story. We've got plenty of competition here, but they can't get in to compete. Ameritech keeps them out. And, you know, it used to be Ameritech was a local company, but now that they're taking over, we're getting all this advice out of Texas. When we thought we had a bill worked out, suddenly the troops came in from Texas. Well, you know, I'm sick and tired of being told by these companies in Texas how to run Illinois businesses. You know, they -- they've got an old saying down in Texas: Don't mess with Texas. Well, you know what, Ameritech? Don't mess with Illinois. We're sick and tired of it. That's why we got this bill. That's why we're trying to help consumers. That's why we're trying to build out the broadband services, so that people like people in my district at the very end of the line, where we don't get much attention paid to us, finally get some service. That's what this bill is about. It's not about rates as much as about service. It's not about rates as much as it's about having a company live up to what they're responsible to do. That's why you should be voting Yes, and I'd urge everybody here to vote Aye. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

I heard the response -- first of all, let me associate myself with Senator Clayborne's remarks. I heard the response with respect to Verizon. Can you tell me how this bill impacts on Citizens Communications?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

I -- Senator, are they under thirty-five thousand lines? Do you know?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

They were a group, apparently, that Verizon sold off some of these -- some of their areas from. I didn't count 'em all, but somebody says they're a hundred thousand lines.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

They -- that company is subject to all the service quality standards in this legislation. They are not subject to Section (13-)801.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Is wireless in this bill in any -- any form?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Sullivan.

SENATOR SULLIVAN:

Wireless is a -- more of a federal question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Then what does this do -- bill do for my area then?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

As we've stated, if you want a consumer-friendly bill, this is it. If you want your constituents not to have the problems that some of our constituents have had, this is a good Yes vote. If you want advanced technologies to be deployed throughout this State, this is the bill to get us there, because it won't happen -- it's mandated in this bill. If you -- if this bill doesn't pass, it won't happen.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if this bill doesn't pass, there'll be another one. So, in essence, this bill doesn't do anything at all for -- for my -- for my community. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I can tell you, in my area, there's been Ameritech and AT&T, and I've had hundreds of complaints on both of them. And I can tell you right now that if you see the letters and the faxes that I have in my office, you're going to wonder when are we going to do something to make a -- a better field for the telephone users, the

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consumers. When -- I can honestly tell you that no matter how we want to look at it, no bill is perfect. However, this bill is in the right direction. It's time. They spent a year and a half trying to get it together. It was a bipartisan effort for both Democrats and Republicans, who worked very, very hard on it. It was no joke. It's a very complicated bill, but it does do something that the consumer wants: It gives better service. And it guarantees, the way it's structured, that if they don't get better service, they will be recompensed for it. And it's about time that we look at the overall picture and realize that if we want to have better service, then let's start with this good bill, and I urge your favorable support of it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. Chairman, and I'll be brief. I think we've debated this bill long enough. But let me just share with you that even though going into this weekend, I had already decided to support this bill and was pleasantly surprised when I first saw the amendment and told Senator Sullivan that I never thought that a -- such a progressive amendment could come from the other side of the aisle, but I was pleasantly surprised, and here we are today having to make a final decision and vote on this bill. But it wasn't until this weekend that I decided for sure that I would support it, after talking with an Ameritech employee who is in customer service. And she had a very private conversation with me about how things operate and what happens to individuals, for example, who do not speak English and call and ask if they can have someone who -- who speaks Spanish help them because they have a problem of some sort and they're told "No, there's no one here who speaks Spanish; we cannot transfer you," even though they could do that if they wanted to. So there are serious problems

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with services. And if you're from Cook County, if you're from the Ameritech service area, I think this is a good bill for you to support. It's a bill that offers consumer protection. It addresses quality services. It offers consumer choices, affordability. And let me remind you that this is the first rewrite since 1985. There has been an explosion of telecommunication services. We get bombarded by adds on TV and on radio and in newspapers everyday, offering us all kinds of services. The consumers are confused. And one of the things that I wish was in this bill, and I don't think is in this bill, and that is having Ameritech simplify the bill, the bill that we get every month. That bill is so damned confusing, we just don't know what we're getting hit with. But at least, in this bill, we address slamming; we address a number of other areas that I think are going to make it better. This sets a new standard. And what we're trying to do here, and for the folks outside of the Ameritech service area using other carriers, this sets a standard that is going to allow us to improve services throughout the State of Illinois. And so, yes, we can poke holes in this. Yes, we're not going to have the support of Ameritech because it -- yes, it does cost them money. But the bottom line is that we've got to move forward, and we can't afford to leave this legislative Session without taking action on a bill that consumers are waiting for. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, Members. My remarks will be brief. I want to thank Senator Sullivan, Senator Shaw, and all of the individuals who have -- we have worked together over the past year and a half to achieve this product here today. And, you know, we basically had three goals. One is that we wanted to bring more

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competition into the industry. And all you have to do is look at the witness slips of those people that signed in as -- as proponents and you'll see that we would have -- we will have accomplished that. A couple other things: Our second goal, we wanted to make this the most consumer-friendly bill that has ever been enacted. And I think we've gone a long ways to that. The Citizens Utility Board tells us -- has told me today that the service quality standards and automatic credits that go back to the consumers is the highest standards of any state in the country. And as we approach this century and the "age of information," who does not want us and all our constituents, from Cairo to Waukegan, from the inner city to rural Illinois, not to have access to high-speed Internet? That's in this bill. Finally, the ICC is -- is the entity that represents the best interests of the State of Illinois on public utilities, and in this bill, penalties for people who avoid ICC orders is two and a half times greater than the next highest state. This bill is not perfect, and I don't want to represent that to you, but it's a -- it's a -- it's a by-product of tremendous bipartisan cooperation. It's a good -- a good bill for the consumers. It's very fair to the carriers, and a good bill for Illinois, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan, to close.

SENATOR SULLIVAN:

Thank you, Mr. President. Thank you, Members of the Senate, for your thoughts. A few closing comments. Ameritech has -- has told us that these flat-rate packages would -- should be a three-hundred-million-dollar savings for their customers. Three hundred million dollars. If you want to listen to the rhetoric about is this consumer-friendly or not, I think the facts bear out, very directly and very clearly, this is a consumer-friendly

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bill. And if you need to look further, CUB and AARP are in favor of this legislation. If this were not consumer-friendly, they would not be supporting this. This digital divide that we have discussed, we are trying to address it in this bill. We are trying to address it well. A No vote could be interpreted as you would like the entire State of Illinois to fall into the digital divide wasteland. This -- advanced telecommunications will not be deployed in Illinois unless in -- as this bill states, it has to be. We need Illinois to be on the cutting edge. This bill requires that. I'd like to thank Staci Bryant, on our staff, who's done an outstanding job in this effort. This bill will put Illinois on a leading edge of forward-looking telecommunications policy in the nation for consumers and competition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2900 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 2 Nays and 10 voting Present. And House Bill 2900, having received the required constitutional majority, is hereby declared passed. Page 16, in the Order of House Bills 3rd Reading, is House Bill 2911. Senator Thomas Walsh. Mr. -- Senator Walsh, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Walsh seeks leave of the Body to return House Bill 2911 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2911. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. If we could adopt the amendment, which becomes the bill, we'll debate it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. In the Order of 3rd Reading, House Bill 2911. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 2911.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 2911 is the Cook County Board of Review redistricting bill. The Cook County Board of Review was set up in 1996. This is the first time since the bill was enacted that we are required to redistrict. Prior to '96, there was a two-member board of review. At that time, we made board of review districts, and we made three districts, which are all encompassed in Cook County. After the 2000 Census, there was a need for a shift. The districts are very similar to the way that they used to be, but there was a -- because of a -- a shortage of population in the south, we needed to make a little bit of a shift, and the -- the -- the -- the map and the bill has a deviation of zero. I know that maps are being

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passed out, and I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 2911 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, and none voting Present. And House Bill 2911, having received the required constitutional majority, is hereby declared passed. ...back to the top of page 15, in the Order of House Bills 3rd Reading is House Bill 1521. Mr. Secretary, read the bill. Oop! Recall. Senator -- Senator Syverson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Hearing -- 2nd -- Senator Syverson seeks leave of the Body to return House Bill 1521 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1521. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. The -- the amendment becomes the bill. I believe that this begins to address two major concerns involving our State's air transportation needs. The first is the ability to address, at least in part, the immediate capacity air transportation needs of northern Illinois, and secondly, to help assist those economic -- help assist in economic development in downstate communities that have underutilized airports and air service.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further Floor amendments approved? Mr. Secretary.

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 1521. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1521.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. As I was stating earlier, the -- the goal of this program is to really help serve tens of thousands of passengers by utilizing regional airports, like the Greater Rockford Airport and others, to give much-needed relief to O'Hare. This program calls for a fund to be established that would assist these airports in initially attracting regional jet service. In addition to this, there would be a requirement for a local commitment as well. The purpose of this program will be to -- to help fund or to assure that air service in these local airports be competitively priced and that flights be consistent, two problems that regional airports have had in the past. This program is one that's based on a successful program in Michigan, as well as Colorado. And as was stated earlier, this is not intended to solve the long-term problems that are being addressed by others regarding Chicago and the regional suburbs, but it is here to address the needs that are -- are facing -- the short-term immediate needs, as well as downstate airport needs. Be happy to

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answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'd just like to rise and commend the sponsor. I know he's done a lot of hard work on this. The concept of developing a regional airport is probably the next wave, along with telecommunications, of the future to get development downstate. It's a well-known fact you're not going to get any Fortune 1000 company to locate in an area if they don't have dependable jet transportation. Senator Syverson's bill and program is the beginning of that. We still have to earn the cooperation of the administration in the Department of Transportation, but I just think the -- the sponsor has done a very good job and worked very hard on this. I'm real happy to stand up and say this is a good thing.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, in lieu of that last speech, let me ask the Member a -- if he would yield for a question...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Demuzio.

SENATOR DEMUZIO:

Have you found that two and a half million yet?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Out of their Member initiatives? No, this is something we're working on, and -- and the nice thing about creating this fund is we believe that there are not only the potential of dollars that we'll be looking for in the future that I think can be found, but

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by establishing this fund, I believe we can go after some federal dollars for this program, as well.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, judging from that last speech, it seems to me you're on the right track.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Syverson, to close.

SENATOR SYVERSON:

Thank you, Mr. President. I appreciate all the help we've had on this. I believe this is certainly a step in the right direction for helping address some of the problems that we're having at O'Hare, and certainly to help those downstate communities, that I believe that good regional jet service will really help them economically. And I appreciate your favorable vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 1521 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 1521, having received the required constitutional majority, is hereby declared passed. The bottom of page 15, in the Order of House Bills 3rd Reading, is House Bill 2432. Senator Munoz, do you wish this bill returned to 2nd Reading for the purpose of an amendment? Senator Munoz seeks leave of the Body to return House Bill 2432 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2432. Mr. Secretary, are there any Floor amendments approved for consideration?

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SECRETARY HARRY:

Amendment No. 3, offered by Senator Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

I'd like to table Amendment No. 3, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Hearing no objection, Amendment No. 3 is tabled. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, by Senator Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. Amendment No. 4 deletes one sentence in House Bill 2432 that allows acquisition of land with the proceeds of mortgage revenue bonds only when the land is proximate to existing multifamily rental housing of twenty-five units or more. House Bill 2432 will still meet the goals of CHA by allowing it to issue mortgage revenue bonds for the purpose of funding the construction, equipping, or rehabilitation or refinancing of multifamily rental housing and to loan the proceeds of such bonds for these purposes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any -- is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Munoz, the Chicago Housing Authority is in support of this legislation?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Absolutely, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If -- if not, all those in favor, say Aye. Opposed, Nay. The amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 2432. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 2432.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President. House Bill 2432 seeks to expand bonding authority already conveyed by State law to CHA as to allow it to better accomplish their federally mandated mission to provide safe and affordable housing for economically diverse residents. Additionally, by expanding public housing authority to allow issuance of mortgage revenue bonds, public housing authority will still have the ability to structure and execute their own development programs without trying -- tying up resources of other

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State and local authorities. It will decrease reliance on two primary issuers of multifamily mortgage revenue bonds for Chicago projects: Illinois Housing Development Authority and the City of Chicago through the Department of Housing. I'll attempt to answer any questions. There's no opposition at this time.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Senator Munoz, first of all, you've done a great job in -- in moving this bill along, and it is an important bill for -- for Chicago, but in the original bill that you filed, was the bill statewide?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

That's correct, Senator. It was statewide.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

And so the bill was amended to apply only to Chicago?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

What -- to the bill, Mr. President: I think it's a -- it's a

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real shame that with this bill, there was an opportunity to do something very creative, to allow for loans for financing of multifamily rental housing by way of developers and to do this throughout the entire State. There are lots of public housing authorities that were very interested in this legislation. They supported the legislation because they thought it would apply to them. And the bill was amended; it was amended to apply only in Chicago -- to apply only to Chicago. Now, let me remind everyone that, according to the Census, there's been a decline in affordable rental housing units in the Chicago region. The regional vacancy rate for rental housing was at 5.2 percent. The federal government considers anything below six percent to be a tight market. And so at a time when the market is tightening up even more and at a time when, certainly, we have counties throughout the State that are in need of -- of people to fill the jobs that have been created, we have people who cannot take those jobs because they can't afford to buy a house and they can't afford the rental units. Multifamily rental housing is needed throughout the entire State. We had an opportunity to do that with this bill, and we didn't. We decided to limit it only to Chicago, and I think that's a real shame.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Munoz, to close.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. First of all, I'd like to thank Senator Dudycz for all his help when we got the extension for this. This is very well needed for the City of Chicago and CHA residents. Senator del Valle is very well noted. Hopefully we can move on further. Maybe, in Veto Session or spring Session, we can introduce again, possibly adding everyone else in the entire State. But at least we have something here to

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start with. So I think it's an excellent piece of legislation. Also like to thank both sides of the aisle for Members, drafting of amendments, and staff. I would like to thank you for all the help that we received on this. And CHA, Bill Velazquez thanks you very much, as well. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 2432 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, and none voting Present. And House Bill 2432, having received the required constitutional majority, is hereby declared passed. Supplemental Calendar No. 1 has been distributed on the Members' desks. If you turn to page 2, on the top of page 2 of Supplemental Calendar No. 1, in the Order of Secretary's Desk, Concurrence. Page 2 of Supplemental Calendar No. 1 is the Order of Secretary's Desk, Concurrence. On Senate Bill 48, Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 48.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is -- amendment from the House is agreed to. It was requested by the Commissioner of Banks and Real Estate, and actually we would have added this amendment before it left the Senate, but we ran out of time. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator O'Malley.

SENATOR O'MALLEY:

Senator Parker, we met in committee earlier today to deal with this concurrence motion, and in the process of reviewing the legislation, the representative from the Office of Banks and Real Estate indicated that it was their intention to implement the legislation in a manner that would be coming forward in rules. And the Members of the committee, while we supported this unanimously, were concerned to make sure that we made a record on the Floor of the Senate as to precisely what the intentions of the Office of Banks and Real Estate would be in implementing -- recommending and then implementing rules. So I would ask you to follow through with providing a statement for the record that has been provided to us by the Office of Banks and Real Estate. I have read it. And it clarifies what not only the substance of the legislation is, but what their intent is. And I would appreciate very much for all the Members here, as well as the record, that that be read in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Senator O'Malley. I do have the statement here and I will read it into the record now. It's a statement of agency rulemaking intent. The Office of Banks and Real Estate will enact provisions of House Amendment No. 1 to Senate Bill 48 by agency rulemaking. House Amendment No. 1 amends the Corporate Fiduciary Act to increase the maximum amount of three hundred and fifty thousand dollars to four million dollars to be held in the Corporate Fiduciary Receivership Account in the Bank and Trust

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Company Fund. House Amendment No. 1 further provides that the Commissioner of Office and {sic} Banks and Real Estate may require a trust company to pledge to the Commissioner securities or a surety bond, in an amount of one million dollars to cover costs associated with the receivership of a trust company. Senate Bill 48, as introduced, had provided for an increase in the Corporate Fiduciary Receivership Account to five million dollars. House Amendment No. 1 is an amendment negotiated between the Office of Banks and Real Estate and the corporate fiduciary trade groups to limit that increase to four million dollars, but the Commissioner may require each trust company to provide up to an additional one million dollars in securities or surety pledges to be available in the event of a trust company failure. Moreover, Office of Banks and Real Estate has stated its intent to the corporate fiduciary trade groups to phase in, through rulemaking, the assessments to corporate fiduciaries in raising the Receivership Account from three hundred and fifty thousand dollars to four million dollars. Office of Banks and Real Estate believes this amendment is needed to cover receivership costs under the Act in light of Office and Banks -- Real Estate experiences with the current Independent Trust Corporation Intratrust {sic} (Intrust) Receivership. Chairman Patrick J. O'Malley and members of the Senate Financial Institutions Committee, at a May 30th, 2001 hearing, asked the Office of Banks and Real Estate to file the statement of agency intent regarding future rulemaking by Office of Banks and Real Estate to enact the provisions contained in Senate Bill 48 and House Amendment No. 1. The Office of Banks and Real Estate intends to enact Senate Bill 48 and House Amendment No. 1 in the following ways: Number one, all corporate fiduciaries are intended to be assessed an increase in fees on a quarterly basis through a formula over a period of ten years to reach the maximum four million dollars authorized by the Illinois General Assembly

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for the Corporate Fiduciary Receivership Account. Under this amendment, the four million dollars in the Account would be available generally for any corporate fiduciary receivership. Number two, in addition, each trust company will be asked to pledge up to a million dollars to the Commissioner of Office and {sic} Banks and Real Estate in securities or surety bond for the payment of receivership costs for that trust only. And this has been signed by the Commissioner.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 48. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 48. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 373. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 373.

The motion, by Senator Munoz.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. I wish to concur with Amendment No. 1 and No. 2 for Senate Bill 373. Just amends several Acts to codify the current ad hoc Illinois -- Child Death (Review) Teams Executive Council, and gives the Council statutory authority to act in improving child death review and strengthening their ability to protect children in Illinois.

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Makes several revisions concerning the content of the child care report that Department of Human Service is required to submit to the Governor and General Assembly. Amends the Department of State Police Law of Civil Administrative Code of Illinois to create statewide kidnapping alert program. Also requires the Department to develop a coordinated program for statewide emergency alert when a child is missing or kidnapped.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and No. 2 to Senate Bill 373. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 373. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 699. Senator -- Senator Dillard. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 699.

The motion, by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an initiative of the Illinois Road Builders, and it now has the imprimatur, too, of the Illinois Energy Association. And the amended bill now provides for the establishment of coordinating {sic} (coordination) councils - by the State, in a mandatory fashion; in the county, in a voluntary way - for highway authorities, along with other things, to have strategies to

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improve communications regarding the timely relocation or removal of utility and other facilities during road construction projects. If the coordinating councils are established in each district or county, the utility or other owner of the subject facilities has ninety days from the receipt of the notice from the respective highway authority to remove the facilities. If the utility or other owner does not remove or relocate the facilities within the ninety-day period, the State or county highway authority can have the facilities removed or relocated and bill the owner for the cost of this -- of that. And in lieu of that option, the highway authority or the project's general contractor can go to court to obtain an emergency order requiring the owner to remove or relocate the facilities. If the utility or other owner of the facilities cannot meet the ninety-day deadline, they can request a waiver of the deadline from the State highway district engineer or the county engineer or the highway authority. An owner can make special arrangements in lieu of the deadline or waiver. And finally, the overriding goal of this bill is to improve communications between highway authorities, facility owners and project contractors such that utilities and other facilities will be removed or relocated in a timely fashion and that road-building projects are not delayed. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, for legislative intent, may I offer a hypothetical in a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Dillard.

SENATOR DILLARD:

Certainly.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Where a public utility is required to remove certain facilities before construction can begin, if that public utility has received all of its appropriate permits, but in that rare case, the Illinois Commerce Commission approval is required, will the ninety-day notice provided in this bill be issued?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

No. It is the intention of this bill that the public utility must receive State and county governmental permits, including the ICC approval.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Under this bill, can the State, county highway department or general contractor be awarded money damages for the failure of the owner of the facilities to remove or relocate its facilities prior to the deadline provided in this bill?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

No. The exclusive remedy is to obtain a court order compelling the owner to remove, relocate or modify its facilities. No money damages may be awarded under this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Clayborne.

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SENATOR CLAYBORNE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he -- he will yield. Senator Clayborne.

SENATOR CLAYBORNE:

I just have one question. Is it the intent of this legislation that the State or county highway authority can require an owner to remove, relocate or modify its facility only to the extent that that facility is in direct conflict with a planned highway project or poses a highway safety program?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Yes, Senator Clayborne. That's the intent of this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Clayborne.

SENATOR CLAYBORNE:

...you -- thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. Senator Dillard, you're doing a heck of a job on this bill. This is the old "stop road rage" bill. For those of you who don't remember, this is the bill we brought last time. The amendment, I hope, would clear things up and make it better. And this is the bill, of course, where you see that they start construction, a bunch of the utility companies, they haven't worked out the scheduling as to when to take out the utility poles and they don't have the workers go do it and the construction guys don't go back to the site until they do, and we all pass these work sites for three, four, five, eight

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days, sometimes weeks and no work is being done. This bill would make sure that it's coordinated, that that doesn't happen. I think it's a great bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President. As usual, Senator Molaro said it well and succinctly. And this is a good bill. It's been worked out among the appropriate parties, and I urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendment -- House Amendments No. 1 and 2 to Senate Bill 699. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 699. And the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 754. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 754.

The motion, by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This legislation's supported by the Realtors Association, the Home Builders, American Forestry {sic} (Forest) and Paper Association. It deals with the Illinois Building Commission in an attempt to utilize the

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clearinghouse capacity of the Illinois Building Commission to be a place where builders can check and see if municipalities or counties are planning to change any of their local building codes. And it would require that those municipalities and counties would notify the Building Commission, simply, of the -- of the title and edition of that proposed change. With the House amendment, a few changes were made here to take the City of Chicago out of this reporting requirement, because they currently do this on their own website. And it was also removed -- make it clear that there were no penalties in the provision dealing with the counties reporting. And it would change the effective date to July 1st of 2002. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Link.

SENATOR LINK:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Link.

SENATOR LINK:

First question is, how does the Illinois Municipal League and the other municipal leagues stand on this issue?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Yes. Thank you, Senator. In the committee this morning, the Municipal League did file a -- a slip in opposition to the bill, and did testify against it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Senator, another question. We say there's a thirty-day period

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in which they have to file, and there's no penalty whatsoever if they don't. But what was brought up in committee today was if somebody files like twenty-four days, twenty-five days, can this be used in a -- in a legal challenge on this ordinance after the fact?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

No. I -- I do not believe so. I do not believe that is -- the intent of the people that are supporting this legislation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Why, I know it may not be the intent, but what I'm getting at is if the municipality does not file this in time, can, somewhere, at a later date, this be used as a challenge because it was not notified in the thirty days, which we are mandating. By passing of this bill, we are mandating the municipalities to comply with it, but yet, we're not penalizing 'em if they don't. But we're also saying, in a later date, that there may be a court challenge on this ordinance from some outside source because it wasn't fulfilled.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Well, again, I don't think that's the intent of that. I can't give you an opinion of where -- whether there could be a legal challenge or not. Certainly, that's not the intent of the people that have introduced this legislation or -- or backing it. It's to bring some sunshine, bring some light, to building code changes so that those people that'll be impacted by the change have an opportunity to -- to comment on that before it would be considered

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by the county or municipality. And also, this does not take effect until July 1st of 2002, at which time the Illinois Building Commission would be dealing with the rule-making process, to implement it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Not to belabor this. I've just got a couple more questions. One other question: Is this an unfunded mandate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Well, yes. Certainly, the -- the fact that we place a requirement on a county or municipality to do this, that is, in essence, creating a mandate for them. The cost of doing this is the cost of a fax transmission or the fact -- or the cost of a thirty-four-cent stamp. So, to the extent that it's -- it's unfunded, you're only going to cost that city or county thirty-four cents to mail the notice, or they can do through a fax machine and it'll cost them a couple of pennies.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Not to belabor this, but the point is, is we put on way too many of these onto local municipalities, and we say it only costs a fax, it only costs thirty-four cents. But we're also taking the manpower and we're taking away from the general obligation that they have to do in the municipality to do something that, basically, all it is is a clearinghouse to -- to the Building Commission to tell them what we may be able to do in a municipality. I think that this is a undue burden on the municipalities that's not necessary, because we cannot do anything

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to stop that ordinance from going through. It's an ordinance that the municipalities still can pass. I think it's a undue burden, and I urge everybody to cast a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Just to comment on the bill. We discussed this rather thoroughly when it was in the Senate Chamber before. And this morning when we came back with the House amendments, I think made the bill better. And what the intent is on this is that we would have what would be known as maybe "one-stop shopping", where -- where builders, developers can go to a website, punch up and see what the building codes are throughout the whole State of Illinois. And I think the -- the sponsor has done a good job in regards to extending the starting period of this until July 1st of 2002 - thirteen months -- thirteen months from now - so that -- that any of these questions that Senator Link has brought up or any of these other concerns, if there are some glitches, and undoubtedly there will be some glitches, but if they are, that either we can address these issues in Veto Session, or we can even address 'em as late as next year, yet, in general Session. So, it -- I think it's a good move. It's a good move for that -- that opportunity to use technology to the best, of just punching up on the website to see what is required. And I think this will -- this will help out. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

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Senator, I noticed that in the explanation of the amendment, it deletes the requirement that proposed codes for plumbing, heating, electrical, fire prevention, sanitation, or other health and safety standards shall be provided to the Illinois Building Commission. In other words, they don't have to be provided. And can you tell me what will have to be provided?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Senator Geo-Karis, those provisions were included in the bill as it left the Senate. We're basically dealing with the structural aspects of the building. The bill relates to structure, such as trusses, for snow load and those types of things.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is there any penalty on the municipalities if they should fail to notify the -- the Illinois Building Commission at least thirty days before the adoption of a code or amendment?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

There are no penalties in -- in the bill as written now, Senator. We're obviously trying to seek a cooperative, voluntary effort to help improve the building climate in the State of Illinois. This is what this is all about. Bring some light to the process. Make the -- the building climate in Illinois more builder-friendly and to eliminate delays and confusion and reduce the cost of -- of some of the confusion and utilize the clearinghouse, one-stop shop, of the Illinois Building Commission.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen, to the bill: Since there are no penalties, and there -- it is a bill that's trying to require more unified action between the cities, counties and the State, I see no -- no -- I see no reason why to oppose the bill. And I am a municipal attorney, by talent or occupation, so I will support the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, do you -- the analysis indicates that you've exempted Chicago because they put this information on their webpage. Many of our communities have webpages. Why didn't you just exclude those communities that put this information on their webpages?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Senator, I can't give you a good answer. I wasn't part of the discussions when they were discussing that in the House. Certainly, it's something that we could consider going forward, if the information -- I think there's a little bit of difference in the information that the Building Commission would like to get and these builders. The home builders would like to see the information before it actually is -- is acted on by the local council, and I think they feel this is the appropriate way to do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Hawkinson.

SENATOR HAWKINSON:

Does Chicago put it on thirty days before they adopt any change?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

I -- I don't have an answer to that question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I've heard from several of my communities. City of Galesburg, my hometown, is very much against this because of some of the concerns that have been expressed. And I guess I don't -- if you want one-stop shopping and you want to make these people aware, I -- I would think you would want to put it on the website within thirty days after they adopt it, rather than setting it up before they adopt it, which then opens up the question of legal challenges if they fail to meet that. We all know in our litigious society, somebody doesn't like an amendment, they're going to say "Aha, you missed -- you missed sending this down by two days." And I think I'm going to go along with our city fathers on this one and vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Sieben, to close.

SENATOR SIEBEN:

Well, thank you very much, Mr. President. I think the -- the bill has been improved by House Amendments 1 and 2. We've made it extremely easy for municipalities and county to comply with the provisions of this legislation. It goes a long ways to enhancing a very positive and favorable building climate in the State of Illinois, and I'd ask for your Aye vote.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 754. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, 1 voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 754. And the bill, having received the required constitutional majority, is hereby declared passed.

PRESIDING OFFICER: (SENATOR KARPIEL)

On the Calendar is Senate Bill 846. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 846.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. House Amendment 1 adds language to the bill, in that it allows -- the Keep -- the Keep Illinois Beautiful (Program) Advisory Board will be able to assist local governments and community organizations in beautification projects.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the Senate concur in House -- House Amendment 1 to Senate Bill 846. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 56 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment 1 to Senate Bill 846. And

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the bill, having received the required constitutional majority, is declared passed. Senate Bill 933. Senator Petka. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendments, Amendments 1 and 2, to Senate Bill 933.

The motion, by Senator Petka.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President and Members of the Senate. House Amendment No. 1 makes two minor changes to the underlying bill. First of all, it clarifies that the term "hospital affiliate" does not include a health maintenance organization regulated under the Health Maintenance Organization Act, and it further makes a technical amendment. House Amendment No. 2 makes the following changes: It provides that reviews must be conducted by independent physicians rather than through a peer review process; it clarifies that nothing in this Section is deemed to alter the law of negligence; it further clarifies that no action may be taken that affects the ability of a physician to practice during the review process, except in those circumstances where the medical staff bylaws authorize summary suspension; and it also grants the Department of Public Health the explicit authority to draft rules to implement this legislation. Madam Clerk -- or, Madam President, I would move for the adoption of House Amendments Nos. 1 and 2.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

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He indicates he will.

SENATOR TROTTER:

Senator Petka, in this language, health maintenance organizations and Cook County hospitals are excluded. Can you give me the reason why, please?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Petka.

SENATOR PETKA:

Thank you very much, Senator. The HMO Act and the Counties Code currently allow the employment of physicians; therefore, the inclusion of these entities in this legislation is unnecessary.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 933. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 933. And the bill, having received the required constitutional majority, is declared passed. Is leave granted for the State Journal-Register to photograph? Leave is granted. Senate Bill 1175. Senator Thomas Walsh. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 1175.

The motion, by Senator Walsh.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Madam President. This bill is a step in the right direction, I think, -- was taken by the House. It changes the

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required criteria for a hearing officer that did not preside over a case to author the findings and recommendations -- or -- recommendations orders filed with the Human Rights Commission. When it left the Senate, we had three criteria. The bill has come back with the criteria being death, disability, or separation from employment. I think it's a good amendment, and I would concur with House Amendment No. 1 to Senate Bill 1175.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Cronin.

SENATOR CRONIN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR CRONIN:

Does it level the playing field, Senator?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Walsh.

SENATOR T. WALSH:

I would say it not only levels the playing field, but it is indeed a step in the right direction.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? Senator Burzynski. ...discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1175. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1175. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1284. Senator Robert Madigan. Read the motion, Mr. Secretary.

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SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2, to Senate Bill 1284.

The motion, by Senator Madigan.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. I would move to concur with House Amendment No. 2 to Senate Bill 1284. It's a clarifying amendment to a bill that passed this Chamber -- 57 {sic} (56) to nothing, and I would ask concurrence to House Amendment No. 2 to Senate Bill 1284.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President and Members of the Senate. A couple of questions for the sponsor. Would he yield?

PRESIDING OFFICER: (SENATOR KARPIEL)

He indicates he'll yield.

SENATOR LAUZEN:

First of all, Senator, these House amendments to Senate Bill 1284 and the original bill itself address the license of a CPA and not the certificate itself. Is that correct?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Yes.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

Secondly, is there any circumstance in the current statute or any of these amendments that once a CPA certificate is earned

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through preparation and examination, that a certificate can be revoked?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

No.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

And then finally, a question about -- under this -- these amendments in this bill, to whom is the Board of Examiners responsible or accountable? Where does the Board of Examiners fit into -- you know, where do they respond to in State government now?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President. The Board is appointed by the Governor.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Lauzen.

SENATOR LAUZEN:

And then just for some clarification, from where does their budget come?

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President. We believe that it's contained in the University of Illinois budget.

PRESIDING OFFICER: (SENATOR KARPIEL)

Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1284. Those in

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favor will vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 2 to Senate Bill 1284. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1493. Senator Radogno. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 1493.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. This amendment places the entire Circuit Breaker Program, the pharmaceutical portion of it, on a fiscal-year basis.

PRESIDING OFFICER: (SENATOR KARPIEL)

Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1493. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On this question, there are 57 voting Aye, none voting Nay, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1493. And the bill, having received the required constitutional majority, is declared passed. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR KARPIEL)

State your point.

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SENATOR PHILIP:

I think I better oil those joints. As you're probably aware, this will probably be the last night, hopefully. The Governor has very graciously invited us over to the Mansion. It's for -- for a little libation and food. It's from 6 o'clock till 9:30. So, I just hope that everybody will show up, and the Governor will buy -- Mr. and Mrs. will buy you a drink tonight.

PRESIDING OFFICER: (SENATOR KARPIEL)

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR KARPIEL)

State the announcement.

SENATOR RAUSCHENBERGER:

For Members of the Republican side, in ten minutes down in Room 212, we'll have a -- a very short, succinct, and hopefully information-crammed dog and pony show about the outlines of the budget as we're drafting it. It'll be Room 212. Republican Members are invited down. It's an optional caucus. Be closed to the public, just Senators, Republican Senators. In ten minutes, or at ten to 6.

PRESIDING OFFICER: (SENATOR KARPIEL)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 30.

Passed the House, May 30th, 2001.

A Message from the House by Mr. Rossi, Clerk.

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Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 2.

Nonconcurrent in -- nonconcurrence in Senate Amendment 1 to House Bill 2, May 30th, 2001.

We have a like Message on House Bill 273, with Senate Amendment 1; House Bill 418, with Senate Amendments 1 and 2; and House Bill 3247, with Senate Amendments 1 and 2.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 75, together with House Amendments 1, 2 and 3.

Passed the House, as amended, May 30th, 2001.

We have like Messages on Senate Bill 461, with House Amendments 1, 2, 3 and 4; Senate Bill -- or, 975, with House Amendments 1 and 5; Senate Bill 994, with House Amendment 1; Senate Bill 1176, with House Amendments 1, 2 and 3; Senate Bill 1283, with House Amendment 2; Senate Bill 1504, with House Amendments 1 and 2; Senate Bill 188, with House Amendment 1; Senate Bill 264, with House Amendment 3; and Senate Bill 385, with House Amendment 4.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 629.

Action taken by the House, May 30th, 2001.

We have a like Message on Senate Bill 1514, with their Amendment No. 1.

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PRESIDING OFFICER: (SENATOR KARPIEL)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. Is there further business to come before the Senate? If not, Senator Bowles moves the Senate stands adjourned until the hour of 10 a.m., Thursday, May 31st, 2001.